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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/783,816	02/20/2004	Christopher M. Cischke	RA 5548 (103.001)	7069
<div>7590 11/26/2007</div> <div>Charles A. Johnson Unisys Corporation P O Box 64942 MS 4773 St. Paul, MN 55164</div> <div>EXAMINER GUILL, RUSSELL L</div> <div>ART UNIT 2123 PAPER NUMBER</div> <div>MAIL DATE 11/26/2007 DELIVERY MODE PAPER</div>				

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/783,816

Applicant(s)

CISCHKE, CHRISTOPHER M.

Examiner

Russ Guill

Art Unit

2123

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 September 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) 1-7,9,17 is/are allowed.
- 6) ☒ Claim(s) 8,10-16 and 18-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

DETAILED ACTION

1. This Office Action is in response to an Amendment filed September 24, 2007. Claims 1 - 22 are pending. Claims 1 - 22 have been examined. Claims 8, 10 - 16 and 18 - 22 have been rejected. Claims 1 - 22 are allowable over the prior art of record.

Response to Remarks

2. As an initial matter, the Examiner remarks that the first limitation of claim 17 recites, "means for sequentially creating a series of functions", but the corresponding limitation of claims 1 and 9 recites, "sequentially *and randomly* creating a series of functions". The Examiner respectfully requests that the Applicant ensure that the difference is intentional.

3. Regarding the objection to the abstract:

a. The amendments to the Abstract overcome the objection.

4. Regarding claims 1 - 22 rejected under - 35 USC § 112, second paragraph:

a. Applicant's arguments and amendments have been fully considered, and are persuasive.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

a. Claims 8, 10 - 16, 18 - 22 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

i. Regarding claims 10 - 16, the claims recite in the preamble, "The method of claim". The parent claim is directed to a digital storage medium rather than a method. Correction or amendment is required.

ii. Regarding claim 18 and dependent claims, the claim recites in line 2, "the series of *instructions*". The term appears to have insufficient antecedent basis. For the purpose of claim examination, the phrase is interpreted as, "the series of *functions*".

iii. Regarding claim 22, the claim recites in line 2, "the series of *instructions*". The term appears to have insufficient antecedent basis. For the purpose of claim examination, the phrase is interpreted as, "the series of *functions*".

iv. Regarding claims 8 and 16, the claims recite, "the Mitchell-Moore Additive generation method". While a method of generating random numbers exists that is attributed to Mitchell and Moore, there does not appear to be a published and definite Mitchell-Moore generation method, and therefore the metes and bounds of the claim cannot be determined. For the purpose of claim examination, the term is interpreted as, "a Mitchell-Moore Additive generation method".

Allowable Subject Matter

6. Following is an statement of reasons for indicating allowable subject matter:

7. While Oura (U.S. Patent Application Publication 2001/0001157) teaches sequentially and randomly creating a series of functions, and Mobley (U.S. Patent Number

6,446,241) teaches updating a data integrity buffer, and writing test functions to a test file, none of these references taken either alone or in combination with the prior art of record teaches a method for preparing a test source file for verifying the performance of a simulated cache memory integrated circuit device design, specifically including:

- a. Regarding claim 1, "creating a series of integrity check functions from said data integrity buffer", "writing said series of functions and said series of integrity check functions to a test file for verifying the performance of the simulated cache memory integrated circuit device design", in combination with the remaining features and elements of the claimed invention. It is for these reasons that the Applicant's invention defines over the prior art of record.

8. While Oura (U.S. Patent Application Publication 2001/0001157) teaches sequentially and randomly creating a series of functions, and Mobley (U.S. Patent Number 6,446,241) teaches updating a data integrity buffer, and writing test functions to a test file, none of these references taken either alone or in combination with the prior art of record teaches a method for preparing a test source file for verifying the performance of a simulated cache memory integrated circuit device design, specifically including:

- a. Regarding claim 9, "creating a series of integrity check functions from said data integrity buffer", "writing said series of functions and said series of integrity check functions to a test file for use in verifying the contents of the simulated cache memory integrated circuit device design", in combination with the remaining features and elements of the claimed invention. It is for these reasons that the Applicant's invention defines over the prior art of record.

9. While Oura (U.S. Patent Application Publication 2001/0001157) teaches sequentially creating a series of functions, and Mobley (U.S. Patent Number 6,446,241) teaches updating a data integrity buffer, and writing test functions to a test file, none of these references taken either alone or in combination with the prior art of record teaches a method for preparing a test source file for verifying the performance of a simulated cache memory integrated circuit device design, specifically including:

- a. Regarding claim 17, "means for creating a series of integrity check functions from data in said data integrity buffer", "means for writing said series of functions and said series of integrity check functions to a test file for verifying the performance of the simulated cache memory integrated circuit device design", in combination with the remaining features and elements of the claimed invention. It is for these reasons that the Applicant's invention defines over the prior art of record.

10. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Russ Guill whose telephone number is 571-272-7955.

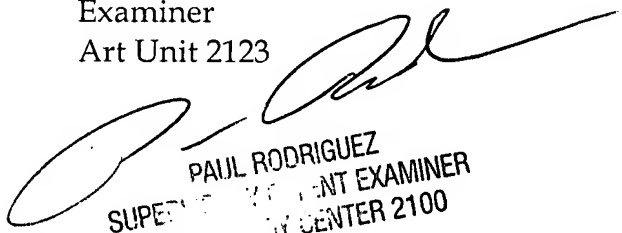
The examiner can normally be reached on Monday - Friday 9:30 AM - 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Rodriguez can be reached on 571-272-3753. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Any inquiry of a general nature or relating to the status of this application should be directed to the TC2100 Group Receptionist: 571-272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RG

Russ Guill
Examiner
Art Unit 2123



PAUL RODRIGUEZ
SUPERVISOR
TECHNOLOGY CENTER 2100